## BEFORE THE PUBLIC UTILITIES COMMISSION

## OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE PETITION FOR ELECTRICAL SERVICE BY DAKOTA TURKEY GROWERS, LLC, TO HAVE DAKOTA ENERGY COOPERATIVE, INC., ASSIGNED AS ITS ELECTRIC PROVIDER IN THE SERVICE AREA OF NORTHWESTERN ENERGY

Docket No. EL04-032

AFFIDAVIT OF KENNETH D. RUTLEDGE

STATE OF SOUTH DAKOTA ) SS. COUNTY OF BEADLE )

Kenneth D. Rutledge, being first duly sworn, upon his oath deposes and states that he is the President and Chief Executive Officer of Dakota Turkey Growers, LLC (hereinafter "DTG"), and makes this Affidavit for and on behalf of DTG, whose Petition to Intervene in this matter was granted by the Commission, and whose Opposition to Motion for Summary Disposition is filed herewith, and states as follows:

- 1. DTG is a new customer in the NorthWestern service territory.
- 2. DTG has a proposed turkey processing plant, (hereinafter the "facility"), to be constructed in Beadle County, South Dakota. The proposed facility will be located on a portion of the following described real estate:

Dakota Turkey Growers Outlots One (1) and Two (2), a part of the Northeast Quarter (NE 1/4) of Section Four (S 4), Township One Hundred Ten North (T 110 N), Range Sixty-One (R 61) West of the 5<sup>th</sup> P.M., (excepting a tract of land in the NE ¼ of Section 4, Township 110, Range 61 deeded to the City of Huron, a Municipal Corporation described as follows: Beginning at a point on the North Right of Way Boundary of the Chicago and North Western Railroad 691 feet, S. 83 Degrees W from its Intersection with the East Boundary of Section 4, thence S 83 Degrees W 210 feet, thence North 222.6 feet, thence East 208.44 feet, thence South 197.0 feet to the place of beginning), Beadle County, South Dakota.

3. The current owner of the land upon which the DTG facility is located is DTG. The land was conveyed to DTG by Warranty Deed from Greater Huron Development Corporation dated August 26, 2004. Greater Huron Development Corporation purchased the property from the City of Huron on August 17, 2004, and the City of Huron purchased the property from Jeff and Teresa Decker on July 7, 2004. This site is a new location for DTG. DTG has never been located on this geographic area.

4. The Decker farm site was located in the northeast corner of DTG's Outlots 1 and 2 (hereinafter "Plat"). The DTG facility is located in the southeast corner of the Plat. The area wherein the facility is physically located has never had buildings located on it. The land is bare pasture land.

5. To the best of Affiant's knowledge, the well that was used by the Deckers, located in the northeast corner of the Plat referred to in Paragraph 2 above, is not located on the facility site. DTG will not use water from the well; the water for the facility will be supplied by the City of Huron.

6. This location was developed after March 21, 1975, and it is located outside municipality boundaries.

7. DTG asserts that its plant will require electric service with a contracted minimum demand of 2,000 kilowatts or more.

DATED this 2<sup>NCl</sup> day of February, 2005.

Kenneth D. Rutledge

President and Chief Executive Officer

Dakota Turkey Growers, LLC

STATE OF SOUTH DAKOTA	)
	) SS.
COUNTY OF BEADLE	)

On this \_\_\_\_\_ day of February, 2005, before me, the undersigned Notary Public within and for said County and State, personally appeared Kenneth D. Rutledge, known to me or satisfactorily proven to be the President and Chief Executive Officer of Dakota Turkey Growers, LLC, and that he, as such officer, being authorized so to do, executed the foregoing Affidavit for the purposes therein contained, by signing the name of the company by himself as such officer.

In witness whereof I have hereunto set my hand and official seal.

(SEAL)



Notary Public

My Commission Expires

My Commission Expires:

July 6, 2008

Notary Print Name Lisc